



MINUTES of the IGNACIO TOWN BOARD MEETING

Monday, August 17, 2020 – 6:30 PM

Remote Public Meeting

I. **CALL MEETING TO ORDER:** Mayor Cox called the meeting to order at 6:31 PM. She gave the zoom etiquette information, and observed a Moment of Silence, Moment of Gratitude, and Reflection of Hope.

II. ROLL CALL

Present: Mayor Stella Cox, Mayor Pro Tem Alison deKay, Trustee Edward Box III, Trustee Sharon Craig, Trustee Sandra Maez, Trustee Dixie Melton

Absent: Trustee Tom Atencio

Guests: Amos Lee, Angelina, AT, Bigmac, Brann, Brook Lee, Buckhorn, C quin, Charley Minkler, Chris Mimmack, Chrissy, Cindy Swanemyr, Clark Craig, Csage, Davylou, Deb, Doug, Duane, Elanin Nobriga, Elizabeth Simons, Germaine Ewing, Greg Kelsey, Janel Sanburg, Janet, Jeannie Barnes, Jeremy Schulz, Jessie Sanchez, Jody Sanders, Judy, Kara Pearson, Katherine, Kathleen, Katie, Katie Hott, Kay, Kelly, Kirk Becker, Klusman, Kristi, L Bonds, Leslie, Yvonne, Lisa Ruybal, Mandy Brown, Marcella Quintana, Marcia Vining, Melissa Garner, Michelle Winner, Moto g(7) supra, Nathan Wright, Nicole smith, Norma, Patriot, Ron Dunavant, Ron Schermacher, Ryan Burns, Samantha, Samsung-sm-G955U, Sandhya Tillotson, Sarah Smith, Steve Chapman, Stephanie, Sv, Teddi, The Reeds, Tia, Tom Arthur, Tristany Sanchez, Veronica, Victoria Schmitt, Wear Masks!

III. PUBLIC COMMENTS

None

IV. CONSENT AGENDA

A. Regular Town Board Meeting Minutes from July 13, 2020

B. Special Town Board Meeting Minutes from August 10, 2020

C. Financial Records – July Check Register and Budget to Actual Reports

D. Liquor License Renewal for Wells Liquor South

Action: Mayor Pro Tem deKay moved to approve the consent agenda; Trustee Box III seconded the motion. The motion passed unanimously.

Mr. Garcia requested that the agenda be amended to add item E under New Business to discuss the proposal from Sandhya Tillotson with Sagebrush Consulting.

Action: Trustee Melton moved to amend the agenda, adding item E under New Business, Strategic Planning; Trustee Maez seconded the motion. The motion passed unanimously.

V. UNFINISHED BUSINESS

A. Amended Town Board Minutes from June 15, 2020 for TBK Bank

Ms. Dunton explained that TBK needs to have approved and signed minutes that list the names of the signors to the account; the amended minutes were sent to the Board.

Action: Mayor Pro Tem deKay moved to approve the amended minutes; Trustee Maez seconded the motion. The motion passed unanimously.

B. Authorize Treasurer and Finance Coordinator to set up a Safe Deposit Box at TBK Bank

Ms. Dunton explained that the Bank requires approved minutes stating who has authorization to establish and access the safe deposit box; neither herself or the Finance Coordinator are signers on the account, so the Board needs to authorize them to do this.

Action: Trustee Craig moved to authorize Treasurer and Finance Coordinator to set up the safe deposit box at TBK; Trustee Melton seconded the motion. The motion passed unanimously.

VI. NEW BUSINESS

A. EV Charging Station funding request from Ignacio Community Library

The Library has applied for an EV Charging Station grant for \$16,000 that requires \$7,700 matching dollars to be awarded this grant. There is a space in the parking lot that will be used for this charging station; each user will pay for the electricity it takes to charge their vehicle. The library is requesting ½ of the \$7,700 from the Town; any consideration is appreciated.

Action: Mayor Pro Tem deKay moved to fund one of the vehicle charging stations in the amount of \$3,855; Trustee Melton seconded the motion. Mayor Cox called for a roll call vote; the motion passed with Trustee Craig abstaining due to a conflict of interest.

B. 2021 – 2023 Detox MOU with Axis Health System

Chief Phillips explained that this is an Intergovernmental Agreement with Axis Health that has been in place for sixteen years. The MOU is for three years. The governmental agencies on this agreement are City of Durango, Town of Ignacio, La Plata County, Southern Ute Tribe, Fort Lewis College, Montezuma County, Southwest Hospital, and the Town of Bayfield. IGA and MOU are completed and ready for the Board to review. The cost to the Town would be \$5,300 per year for the next three years. This is a reduced amount from prior years.

Action: Trustee Craig moved to approve the MOU and IGA with Axis; Mayor Pro Tem deKay seconded the motion. Mayor Cox requested a roll call vote. The motion passed unanimously.

C. Municipal Court Judge Resignation

Mr. Garcia explained that our Municipal Court Judge served out her term, which expired in June. The Town needs to put out an RFP for judge services. He requested two Trustees to sit in on the interview once we have the applicants. Trustee Maez and Trustee Craig both volunteered.

D. COVID-19 Update (Chapman Letter and Municipal Code Update)

Mayor Cox explained that during the comment period on this item each person will be allowed three minutes; Mayor Cox will call on the individual and Ms. Dunton will unmute them and give them three minutes to speak after they have stated their name and address for the record. The Board will have discussion prior to the comments from the public. Mayor Cox asked Mr. Garcia to give the background on this item.

Mr. Garcia explained that the Board had received a letter from Mr. Chapman and had met in executive session to seek advice from legal counsel; no actions were taken at that executive session. The discussion this evening was to allow the Board to state whether or not they wanted to respond to Mr. Chapman's letter and whether or not they wanted to pursue updating the business license section of the municipal code. A draft letter has been submitted for the Board's review and Mr. Garcia would like input on that letter. Various Board Members gave input and the letter will be edited accordingly; all the Board Members will sign the letter so there will be a united front. Mr. Garcia read the letter from Mr. Chapman. Mayor Pro Tem deKay then read the draft letter she had written.

Mayor Cox opened the floor for public comment. The speakers were: Douglas Little, 6 El Paso Road in Ignacio; James Brown, 510 Arboles Street in Ignacio; Julie Eisenman, 825 CR 336 in Ignacio; Greg and Tara Kelsey, 505 Odie Road in Ignacio; Jake and Tandy Nossman, 10919 Hwy 151 in Ignacio; Katie Taylor, 3539 CR 516 in Ignacio; Duane Jenkins, 244 East Drive in Bayfield; Germaine Ewing, 331 White Tail Lane in Arboles; Victoria Schmitt, 1001 E Fifth Ave in Durango; Jessie Sanchez, 307 Cox Circle in Ignacio; Maggie Reed, 2943 CR 321 in Ignacio; Nathan Wright, 993 County Road 323; Katie Hott, 545 Browning Ave in Ignacio; Lisa Weber, 440 Browning Ave in Ignacio; Tom Arthur, 786 Big Elk Drive in Ignacio; Misty Witt, 9598 Hwy 172 in Ignacio; Mandy Brown, no address given; Ryan Burns, County Road 4046 in Navajo Dam, NM; Leslie McAllen, 48 CR 4024 in Ignacio; Rebecca Barnes, #20 CR 4012 in Ignacio; Judy Spady, 272 Pine Cone Drive in Bayfield. The comments were varied in opinions. Once there were no more raised hands, Mayor Cox opened the floor for the Board Members to speak again.

Mayor Pro Tem deKay read the amendments she had made to the letter; all the Board members concurred with the changes. Mr. Garcia stated the letter would be printed and ready for the Board members to sign; it will be mailed to Mr. Chapman after all the Board Members have signed it.

Trustee Melton expressed appreciation to all those who took the time to come and make comments at the meeting.

Mayor Pro Tem deKay commented that she agreed with all the positive comments regarding the quality of the store and the character of the leadership of the store.

Trustee Melton stated that she thinks the store is a great asset to the community and clarified that she wants those who called in to know that is her feeling toward the store.

Mayor Cox expressed appreciation to all those who made comments. Mr. Garcia then asked about the direction the Board would like to give to staff in regard to updating the Business License section of the Municipal Code. The consensus of the Board was to hold off on this issue for the time being and research what other communities are doing in light of the current situation.

Mr. Liberman stated that he would like to address some of the comments that were made regarding the law. He referenced Colorado Revised Statute 24.33.5.704 which states that governor's orders related to disaster emergency declarations have the full force and effect of law. CRS 25-1-114 – It is a violation of law to disobey a public health order; D-20-138 executive order in combination with CDPHE 20-31 both require these masks. People may not like the law, but it is still the law. Laws are presumed to be constitutional until there is a court case that determines they are not. There is a Supreme Court Case, Jacobsen vs Massachusetts, which upheld that state's authority to require people to get vaccines. Part of the Executive Order states that municipalities should consider whether a business license should be either summarily or temporarily suspended if there is a violation of the executive order. Our current municipal code does not provide for revocation of business licenses; therefore, Mr. Liberman stated that his advice would be to not pursue revocation (temporary or summarily) of any business license under our current code. The Town is not looking to put people in jail or put them out of business; it is simply to protect people's health and lives.

Mr. Garcia stated that his understanding of the Board's desire is to have examples from other municipalities of language for a health order that the Town Board could consider at a later date. The Board concurred.

E. Strategic Planning

Sandhya, Sagebrush Consulting, submitted the 41-page report from Phase I on August 15. Eleven themes altogether; six of these were major ones with unresolved issues or various perspectives that would benefit from deeper discussion in strategic planning. The proposal this evening is for strategic planning meetings for this Fall. The objectives are to find a shared vision and next steps for the Town. These meetings will take place virtually; there would be ten workshop sessions two hours each to develop action plan and one-year calendar. The flat rate is \$6,825, with 19% discount as a preferred client. The themes were: utilities, affordable housing, business and economic development, comprehensive plan and structure for upgrades, succession planning of leadership positions, Board training and development, and public engagement. Some of the positive things that were reported are: there is a cohesive board and staff, the Town is in a strong financial position, Ignacio has strengths and assets, and the relationship with the Tribe is being worked on improving and supporting.

No action taken at this time. The Board requested more time to review; Mayor Pro Tem deKay suggested that, after the Board reviews and gives feedback to Mark, the meetings can then be scheduled. Sandhya stated that it would be good to have the meetings completed prior to Budget Season in October so that the strategic plan informs the budget.

VII. STAFF REPORTS

A. Police Department

Meeting with Dr. Fuschetto, Mr. deKay, and our school resource officer to discuss the challenges that the school will face in this coming year. The Axis Health MOU has already been addressed. There were no questions from the Board.

B. Public Works

Mr. Howlett stated that Public Works has begun installing the new water meters; this process will take several months.

The irrigation pump house pressures will be tested mid-September; if there are major line breaks again, irrigation will be shut off at that time. Otherwise the plan is to shut off irrigation during the first week of October.

C. Town Clerk/Treasurer

The audit report is almost completed; the auditors anticipate presenting at the September meeting. The Board should receive copies of the audit about a week prior to that meeting so they have time to review. Ms. Dunton expressed appreciation for the actions that were taken this evening that will assist in the transition to TBK. She also reported on meetings attended since the July Board Meeting.

D. Town Manager

Mr. Garcia stated that he and the Finance Coordinator are reviewing the draft of the audit report and hope to have it to the Board quickly. This needs to be adopted at the next Board Meeting in order to submit it to the State by the deadline of September 30.

Intersection project is moving forward; hoping for funding from the School Board. Broadband Planning Grant and Housing Grant are in process; have not received the contracts for these as of yet, but anticipate getting them soon.

E. Town Attorney

Mr. Liberman stated that he has been working with Mr. Garcia on the cable franchise agreement, COVID-related issues, and the audit.

Mayor Cox asked if there had been any communication from the Tribal Attorney concerning Shoshone Park; Mr. Liberman stated he had not heard from him.

VIII. TRUSTEE REPORTS

Trustee Craig stated that the Chamber is moving ahead with Green Chile Fest; it will be on September 12 at ELHI; hoping for a great event with Farmers Fresh.

Trustee Melton stated that there are a couple people with hands raised and, although Mayor Cox closed the public comment section on the COVID update, perhaps they have comments on another item on the agenda.

Mr. Garcia stated that tomorrow is the deadline for registering for the CML Conference if any of the Board Members want to attend.

Gina Schulz, 335 ½ Shoshone Ave, asked what the reasoning is behind not Town Hall remaining closed to the public. Mr. Garcia explained that this was at the request of the Board and in respect to the Tribe still being under a full Stay At Home order. Ms. Schulz expressed appreciation for the response.

IX. MISCELLANEOUS

X. ADJOURNMENT

Being no further business before the Board, Mayor Cox adjourned the meeting at 9:27 PM. The next regularly scheduled meeting will be on Monday, September 21, 2020, at 6:30 PM via Remote Public Meeting.

Stella Cox

Stella Cox, Mayor

09/22/2020

Date

Tuggy Dunton

Attest: Tuggy Dunton, Town Clerk